

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE BIOPURE CORPORATION
SECURITIES LITIGATION

CIVIL ACTION
No. 03-12628-NG

STATE OF NEW YORK)
COUNTY OF NASSAU) ss.:

AFFIDAVIT OF MICHAEL ROSENBAUM RE:
MAILING AND PUBLICATION OF NOTICE
AND REQUESTS FOR EXCLUSION

MICHAEL ROSENBAUM, being duly sworn, deposes and says:

1. I am Managing Director of Berdon Claims Administration LLC ("Berdon"), Claims Administrator in the above-captioned action.

2. I submit this affidavit to describe the procedures employed by Berdon to insure that all persons or entities who purchased or otherwise acquired common stock of Biopure Corporation ("Biopure") during the period from April 9, 2003 through December 24, 2003, inclusive (the "Class" and the "Class Period") were timely notified of the proposed settlement of the class action and the motion for attorneys' fees and settlement fairness hearing, and were provided with information for submitting a claim in connection therewith.

3. Pursuant to paragraph 4 of the Order of Preliminary Approval dated May 23, 2007 (the "Order"), the initial mailing of the Notice of Proposed Settlement of Class Action Motion for Attorneys' Fees and Settlement Fairness Hearing, and the Proof of Claim and Release (collectively, the "Notice"), annexed hereto as Exhibit A, was effected by Berdon via first-class mail on July 9, 2007. Copies of the Notice were mailed to 184 Biopure shareholders whose names and addresses were contained in the transfer records maintained by American Stock Transfer & Trust Company and provided to Berdon by the transfer agent, to 129 brokers, banks and other nominees on the Depository Trust Company's Participant Proxy Contact List and 478 specific research and/or compliance personnel of said brokers, banks and other nominees, identified from databases created

and maintained by Berdon, and to 166 financial institutions identified by Vickers Directory of Institutional Investors as having purchased Biopure common stock during the Class Period. Therefore, the total of the initial mailing on July 9, 2007 amounted to 957 Notices.

4. Concurrent with the mailing of the Notice on July 9, 2007, Berdon posted the Notice on its website at www.berdonllp.com/claims.

5. Subsequent to the initial mailing on July 9, 2007, and up to and including this date, Berdon has furnished an additional 1,466 copies of the Notice to banks, brokers and other nominees for mailing to their beneficial owners and to individual shareholders who requested copies; and we mailed an additional 14,583 Notices directly to beneficial owners, using the names and addresses furnished to our office as an alternative by some brokers, banks and other nominees, all in response to written, telephoned and e-mailed requests, for a total subsequent mailing of 16,049 Notices.

6. In summary, as a result of the initial mailing of 957 Notices on July 9, 2007 and our subsequent mailing of 16,049 Notices in response to all incoming requests, as of this date, Berdon has mailed a total of 17,006 Notices to members and potential members of the Class.

7. Moreover, Berdon has kept a record of Notices returned by the United States Postal Service as undeliverable, and where forwarding addresses have been affixed to the returned Notices, this office has re-addressed and re-mailed them and will continue to do so. In this manner, we are continuing to take all reasonable steps to insure that Members and potential Members of the Class are provided with a copy of the Notice.

8. Pursuant to paragraph 6 of the Order, the Summary Notice of Settlement (the "Summary Notice") was to be published in the national edition of *The Wall Street Journal* no more than ten days after the mailing of the Notice. Under my direction and supervision, the firm of Elser & Aucone, Inc. was engaged to effect the publication of the Summary Notice in *The Wall Street Journal* on July 16, 2007, and a copy of the Summary Notice in the form in which it appeared on that date is annexed hereto as Exhibit B.

9. Pursuant to paragraph 8 of the Order and section X, paragraph B on page 10 of the Notice, Members of the Class were given the right to exclude themselves from participating in the proposed Settlement. As of this date, Berdon has received no requests for exclusion.

The foregoing statements are true and correct to the best of my knowledge, information and belief.


MICHAEL ROSENBAUM

Sworn to before me this
7th day of September, 2007


Notary Public

MARLENE HURWITZ
NOTARY PUBLIC, State of New York
No. 46-97422
Qualified in Nassau County
Commission Expires April 30, 2011